BISHOPS AT LAST ELECTED.

CHAPLAIN M'CABE AND DR. CRANSTON CARRY OFF THE HONORS.

THE DEADLOCK BROKEN ON THE FIFTEENTH BALLOT-HOMER EATON ELECTED BOOK

> AGENT AT NEW-YORK-UNAUTHOR IZED EVANGELISTS NOT WANTED.

[BY TELEGRAPH TO THE TRIBUNE.] Cleveland, May 19 .- The deadlock in the General Conference was broken to-day, and Chaplain McCabe and Earl Cranston were elected Bishops, the former on the fifteenth, the latter on the sixteenth ballot. The Conference went wild with enthusiasm when the election of the popular chaplain was announced, and the scene was repeated on a smaller scale when the success of Dr. Cranston was made known. The Conference also elected Homer Eaton as Book Agent at New-York, took another ballot for his associate, and voted for two Book Agents at Cincinnati, the result to be announced at the morning session

When the delegates assembled this morning they were weary of the protracted struggle, perplexed as to the cause of it and in despair of a satisfactory outcome. Thirteen ballots had been



taken, and apparently the Conference was no nearer an election than when the voting began. Candidates had risen to a high figure and gone down again, others had gradually taken their places at the top of the list only to suffer the same gradual decline. Not a few believed that the deadlock would be perpetual.

Immediately after the reading of the journal one of the secretaries of the Conference, the Rev. C. B. Stafford, of Iowa, moved that further balloting for Bishops be indefinitely postponed. The motion was received with applause from all over the house. Dr. Buckley, who is without question the leader of the body, made a strong appeal to the Conference not to adopt the motion. The Board of Bishops had said that two more men were needed; the Committee on Episcopacy had reported in favor of three; the Conference had voted that there should be two. To postpone indefinitely, under the circumstances, the balloting for Bishops would be to subject the Conference to the ridicule of the world. There was no reason to despair. Some had "climbed where Moses stood and viewed the landscape" and come down again; but there was an opportunity for others. The convention of the Protestant Episcopal Diocese of Maryland had continued balloting for Bishops at intervals for six months before a choice was made. Here Bishops were to be chosen who had more power than an Episcopal Bishop ever dreamed of possessing. It was not strange that there had been no election. The General Conference must rise to the situation. It must endeavor to concentrate its vote on two men, and cease to scatter its support.

The Rev. J. R. Mace, of New-Jersey, declared that the officials of the Church were blocking the way. The Church would give a sigh of relief if no additional Bishops were elected. Dr. A. J. Kynett said there was no occasion for the Conference to get anxious or feverish. The balloting was doing no harm. The Conference was attending to other business, and interest in the elections was holding every man in his seat. He then adroitly boomed one of the candidates in such a way that everybody understood he was seferring to his old associate, Dr. McCabe, al-



DR. EARL CRANSTON

though no name was mentioned. He was called to order, but was allowed to finish his address with the statement that the balloting clearly indicated that there were no combinations.

The vote on the motion to postpone was then taken, and the unequalled influence of Dr. Buckley was manifest in the large majority against postponement. General Rusling, of New-Jersey, got the platform to move that the number of new Bishops be three instead of four. Dr. Buckley moved the point of order that the rules had not been suspended for this purpose.

General Rusling-Dr. Buckley and brethren, won't you please indulge a greenhorn?

Many voices-No! no! Dr. Little-If we let in one greenhorn we must

let in all.

Several attempts were made to have the rules suspended for various motions, but they were all lost, and the fourteenth ballot was taken. It

showed Dr. Cranston was in the lead with 261 West 14th St.



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votes, a gain of 16; and Dr. McCabe second with 258, a gain of 68. The result indicated an ettempt to combine on these two men. Dr. Hamilton's vote fell off considerably, and Dr. Neeley lost 60. On the next ballot Dr. McCabe received 344 votes, 8 more than the necessary two-thirds, and was declared elected. He was quickly surrounded where he sat with the New-York delegation, and heartily congratulated, while more than half the Conference rose and cheered with the crowded; galleries and made the alr white with waving handkerchiefs. Dr. McCabe was immediately, by vote, invited to the platform, where he was welcomed by the Bishops in turn. Called upon for a speech or a song, he stood up and asked to be excused. His wife and friends, who occupied a box, were warmly congratulated.

The large vote for Cranston on this ballot, 326, made it certain that he would be selected on the next ballot, which was taken immediately. He got 366 on the sixteenth ballot and was declared elected. His Western friends gathered around him, cheered him, and escorted him to the platform, where his hand was shaken by the Bishops in token of their welcome. Order has not yet been taken for the consecration of Bishops McCabe and Cranston. Until consecrated they will not perform any episcopal functions.

Ballots were next taken for two Book Agents at New-York and for two at Cincinnati, the presentation of names only being allewed. On the first ballot for New York agents. Homer Eaton was elected by a vote of 458, or 105 more than necessary, the majority rule prevailing in all elections except those of Bishops. The vote for Eaton's associate was divided among a dozen candidates. The leading men were Charles R. Magee, of Boston, layman, 94; Dr. William M. Swindells, Philadelphia, 74; Dr. W. W. Evans, of the Central Pennsylvania Conference, 59, and Dr. J. M. King, of New-York, 56. A second ballot was taken, which is to be kept secret until to-morrow. It is not believed that it will show any choice. The contest seems to lie between Mage and Mains.

Peah, laymen. The result will not be known unit to-morrow.

The report of the Committee on the State of the Church, providing for an Order of Conference Evangelists, which was recommitted last week, was reported back with an additional paragraph requiring pastors desiring the services of evangelists other than those of their own Conference, to get the consent of their presiding elder. The report was warmly discussed, the additional provision receiving much criticism. Many thought it placed an unnecessary restriction on pastors. There was, however, a general agreement that unauthorized evangelists should be shut out of the churches somehow. Dr. Robert Forbes, of Minnesota, said that travelling irresponsible evangelists had become a great evil in the West. They had easy and quick processes of conversion. All that anybody had to do was to hold up his hand for Jesus or send in a card in order to be enrolled among the saints, and the next thing would be to send in cabinet photographs and have them sprinkled, and be received in full communion by telephone.

sprinkled, and be received in full communic by telephone.

After several motions to lay on the table, to recommit, etc., had been disposed of, the report was adopted by a large vote. It provided that on a two-thirds vote of an annual conference recommending them, the Presiding Bishop may appoint men to serve as Conference evangelists within the bounds of that Conference, and a pastor may not invite others without consent of his presiding elder. It was held that this last provision would prevent pastors from co-operating in many union revival services conducted by evangelists not Methodists and not belonging to the Conference.

STATE CONGREGATIONAL ASSOCIATION. SIXTY-THIRD ANNUAL MEETING OF THE NEW-YORK CHURCHES.

Canandalgua, N. Y., May 19 (Special).-The sixty third annual meeting of the State Association of Congregational Churches convened at the First Congregational Church in Canandaigua at 3 o'clock to-day. Two hundred and fifty delegates are regis-tered as in attendance, and every train brings new arrivals. The convention was called to order by Dr. F. S. Fitch, of Buffalo, Moderator of last year's meeting, and at the desk also was the Rev. James Dean, the permanent clerk of the association. Upon ballot the Rev. W. A. Robinson, of Middletown, was elected Moderator of this convention, and then followed the election of the Rev. N. W. Bates, of West Bloomfield, and the Rev. G. W. Chatenield, of Bristol, as scribes. After a devotional service the Rev. Dr. William E. Park, of Gloversville, read the associational essay. His subject was "The Law of Religious Progress." The main features of

Law of Religious Progress." The main features of the evening service, which was largely attended, was an address of welcome by the Rev. C. H. Dickinson, pastor of the Canandaigua church, and the annual sermon by the Rev. Dr. A. J. F. Behrends, of Brooklyn.

The latter contrasted the saying of Christ, that one soweth and another reapeth, with the assertion of Paul, that whatsoever a man soweth that shall he also reap. He pointed out in an exceedingly strong sermon that there is no contradiction in these teachings; that every man's life had two spheres in which it moves, and that life is a period of personal discipline for the development of personal character, and also a period of usefulness. So far as a man's thoughts, purposes and principles are concerned he shall surely reap that which he sows, but man's thoughts, purposes and principles are con-cerned he shall surely reap that which he sows, but to whatsoever great work a man devotes his life he is assured that other men will probably win the re-wards and enjoy the advantages; but because of this law, also, we get a great deal more out of life than if we had only what we sowed, therefore we ought to be happier, be more contented than any men who ever lived before.

GERMAN CATHOLICS IN SESSION.

Pittsburg, May 19.-The exercises of the second day's session of the Fourth Annual Congress of the German Catholic societies of Pennsylvania began at 9 o'clock this morning by the celebration of pontifi-cal high mass at St. Paul's Cathedral, the Right Rev. Bishop Leo Haid, O. S. B., of North Carolina, celebrating, assisted by the Rev. P. E. Minrad Jaegel, O. S. B., as archyriest, and the Rev. P. Kuhmann, C. S. S. R., and P. Felix, O. M. Cap., as honmann, C. S. S. R., and P. Felix, O. M. Cap., as honorary deacons. The Rev. P. E. Maus, of Allentown, Penn., although suffering from a severe attack of rheumatism, delivered the sermon. The Pittsburg Saengerbund sang the Fest Mass. by Adler, with orchestral accompaniment. The liturgical part of the mass was celebrated by the Brothers of Mary, At 2 o'clock this afternoon the delegates to the Congress held a business session, and this evening an open meeting was held in Carnegie Hall, Schenley Park.

COTTON GOES A BIT HIGHER.

THE DROUTH IN THE ATLANTIC STATES LEADS TO CONTINUED COVERING BY SHORTS.

Mr. Inman was buying December cotton again yesterday. Rains fell in the drouthy district of the Atlantic States, but as far as could be learned they were insufficient showers. Port receipts showed a marked falling off this week, the receipts so far be ing 12,000 bales, against 21,000 for the same time last week. These circumstances induced a continua-tion yesterday of the covering movement in the greatly oversold new crop deliveries and a further net advance in values of 1 to 4 points. The ex tremely small sales on the New-York Cotton Exchange, only 57,000 bales yesterday, show the excessive caution of the speculators. August closed at 8.12 and December at 7.20, after having been

Just when and how the big difference between August and September is to be wiped out is one that is puzzling the speculators. As the end of August is a long way off yet, and the world's normal consumption of cotton goes on practically unchecked, with big bull operators ready to pick up all floating contracts, it is safe to say the remain-

checked, with big buil operators ready to pick up all floating contracts, it is safe to say the remainder of this crop is going to command a good price and will doubtless all be sold by September I. Against port receipts of 12,446 so far this week, the exports have been 22,216 bales.

A meeting yesterday afternoon in the Cotton Exchange, which was attended by about seventy-five members, adopted resolutions favoring the gold standard and expressing a hope that the political parties declare in its favor.

New-Orleans, May 19.—New-York reports that Texas is well soaked with moisture enough to last through June and July ridiculed here. There are large districts in Texas which have not averaged one inch of rain since early in April; others under one-half inch. A Hastrop special to "The Galveston News" says crops beginning to suffer, and there is considerable complaint of boil worms. Hutto, Williamson County, reports great complaint of worms eating cotton; some of the fields half eaten. These counties raised 100,000 bales in the big-crop year. Goldthwaite reports a good deal unplanted on account of dry weather. Salado special says much new land not planted on account of its being too dry to bring cotton up; cut worms eating what is up. The big-crop year insect damage was trifling everywhere.

Washington, May 19.—The Weather Bureau's crop bulletin for the week says of the cotton belt:

bulletin for the week says of the cotton belt: North Carolina-Drouth has killed some young

South Carolina-Drouth prevents completion of South Carolina—Drouth prevents completion of planting cotton.

Georgia—All crops and vegetation suffering for rain; complaint of cotton lice.

Florida—Drouth severe over large section of west and north districts on cotton, etc.

Alabama—Cotton making good growth.

Mississippi—Timeiy rains of inestimable value; cotton growing rapidly; local complaints of worms.

Louistana—General improvement in crops, but rains bádly distributed and more needed.

Texas—Rain over eastern portion of State materially improved crop conditions; rain needed over western portions for cotton.

Arkansas—Cotton growing nicely.

Tennesse—Drouth continues in east and central parts of State.

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ing, more digestible food than any other shortening. Costs less than lard or cooking butter.

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SHRIEKING IN THE COURTROOM

A WOMAN'S OUTBREAKS IN A DIVORCE TRIAL -JUSTICE M'ADAM REFUSES TO HEAR THE CASE.

Justice McAdam and a jury had before them yes terday, in Part V of the Supreme Court, a suit in which an absolute divorce was sought by Andrew dred-and-eighty-first-st., from his wife, Christine. A seat in front of the Justice was occupied by Mrs. Marshall, who is a tall brunette. She was accompanied by some women friends

The plaintiff's counsel, J. Power Donnellon, addressing the jury, began: "This woman"— whereupon Mrs. Marshall, rising from her seat, shouted wice: "Don't attempt to take away my honor!" screamed frantically, and had to be removed from the room by her counsel and two court officers. Mr. Donnellon continued his address, and Mrs. Marshall

soon afterward returned to the courtroom.

Andrew Marshall, the plaintiff, was then examined He said that he and the defendant were married in June, 1881, and that they had two children.

Frank Noey, a bartender, testified that he was em loyed by Marshall in the summer of 1895. Mr. Marshall then went to Boston. On the night that he left the city, the witness said, Mrs. Marshall and a man named Gillespiedrank whiskey and kimmel until after 12 o'clock. They were still in the woman's room when the witness closed the bar. "Next morning, when I opened the bar," said Noey, "I heard"— This sen-tence remained unfinished, for Mrs. Marshall again counsel sat, uttered several piercing screams. Her arms were thrown wildly above her head, and she yelled: "He's going to swear away my honor, Judge! It's a story, a lying story!" She was again removed from the courtroom. She made several attempts to come into the room again, but was prevented by the attendants.

come into the room again, out was prevented by the attendants.

"It is my idea that these hysterical outbursts are 'put on,' said the Justice, 'and if so, I shall take very severe action in the matter. Had I known this was to be the way, I would have seen to it that after her first outcry it did not occur again."

"I am not responsible for her actions," said Mr. Herman, her counsel, "but I don't think it was

'gut on.'
"Ju wish to say that I will not allow the Court to be disturbed in this way, and I will find out all about this woman, anyway," said Justice McAdam. At this point Mrs. Marshall was pounding on the door of the court from and loudly exclaiming: "He wants to swear away my honor!"
"Don't let that woman in here. I'll hear no more of this case," said Justice McAdam. "I won't have the court disturbed in this way. I will send the case to a referee."

the court disturbed in this way. I will send the case to a referee."

Mr. Donnellon said that it was necessary that the testimony should be given before a jury, and Mr. Herman appealed to the Court to give another chance to Mrs. Marshall. Mr. Donnellon asked that Noey's testimony be taken, as he had been a hard witness to bring to court. The Justice then said that he would take Noey's testimony so that it could go before the referee. Although again asked by counsel on both sides to try the case, Justice McAdam refused to do so. "I will appoint any referee you agree on," he said to the lawyers. "I will appoint ex-Judge Steckler."

Mr. Herman-Will Your Honor hear the case your-

Mr. Herman—Will Your Honor hear the case yourself without a jury?
"I cannot do that," said the Justice. "In view of
the judgment of the Appellate Division, I have no
power to make a decree in such a case. Whatever
constitutional power I had, the Appellate Division,
by its rules, has taken away from me. I can only
send the case to a referee. I don't know whether the
Appellate Division has done rightly or wrongly, but
it has been done."

The jury was then discharged.
"I will now," said the Justice, "hear this witness's
testimony, but the case is now in the hands of the
referee."

Noey's testimony was then resumed. It was damaging to Mrs. Marshall. On its completion Justice
McAdam adjourned the court.

GOFF AND THE FLECHTER CASE.

F. B. House, the new counsel for Victor S Flechter, called upon Recorder Goff, in the latter's chambers at General Sessions, yesterday, to learn if the Recorder was ready to give his decision or the motion for a new trial for Flechter. The latter a Union Square musical instrument dealer, was convicted before the Recorder of having in his posses sion a Stradivarius violin valued at \$5,000, stolen from the late Professor Jean Joseph Bott.

Two weeks ago Mr. House argued before the Re-corder that a new trial should be granted, on the ground that the Court erred in admitting certain estimony and excluding some other. Lawyers abou Sessions are awaiting with some curiosity to see if Recorder Goff will reverse himself and grant a new trial, after having been reversed several times by the higher courts.

The Recorder told Mr. House that his decision was not yet ready, but might be by Wednesday or Thursday. Flechter is in the Tombs, not yet having been sentenced.

HELD WITHOUT BAIL.

Harry Goldberg, of No. 368 East Houston-st., was eld without ball in the Essex Market Court yesterday to await the result of the injuries of Joseph was assaulted by Goldberg in front of the latter's place early yesterday morning. Goldberg keeps : shoe store, and, according to his statement, Pollack peeked in the window of his store. He then rushed out and struck Pollack in the face. The latter fell to the sidewalk and struck his head on the payement. Policeman Hennessey, of the Union Mar-ket station, took the two men to the station. Pollack fainted in the station, and an ambulance was summoned and he was taken to Bellevue Hospital, where it was found that he was suffering from a concussion of the brain, and that his injuries might result fatally.

PROBABLY FATALLY BURNED.

Mrs. Annie Goldstein, a widow, fifty-two years old, of No. 34 Eldridge-st., was badly burned at her home vesterday morning, while preparing breakfast for milk was boiling over, and when she stooped to take it off the stove her skirts caught fire from the hot grate. She ran out into the hallway shricking for help and doing her utmost to tear off her burning garments. Some one in the street who heard her cries sent out an alarm for the firemen. The clothing had been burned from her body when they arrived, and she was in a pitiable condition. The woodwork in the kitchea caught fire and made a slight blaze. Two ambulances came, one from Bellewoodwork in the acteen caught he and made a slight blaze. Two ambulances came, one from Belle-vue and another from Gouverneur. Both surgeons dressed the woman's wounds, and she was then placed in the Gouverneur ambulance and carried to the hospital. She is probably fatally burned.

COHEN GETS HIS DIVORCE.

REMARKS OF JURORS-CHARGES OF PER-JURY-CRYING AND FAINTING IN COURT.

When the trial of the suit of Bernard Cohen against his wife, Carrie, for an absolute divorce was resumed yesterday, Justice Glegerich, before whom the case is being tried in Part IX, of the Supreme Court, issued an attachment for Alphonse Durone who falled to obey a subpoena to appear as a witness. Durone is the co-respondent in the case "Why wasn't the attachment issued yesterday?" asked Juror No. 7, Charles E. Lawson, addressing

Max Steuer, the plaintiff's counsel. "He is a witness on the other side," was the

Well, you lawyers are wasting time," said the juror, "and I would like to have you outside and bump your heads together."

While the attachment was being prepared for the Sheriff to serve, Mrs. Durone, wife of the missing witness, was called to the stand. She testified to having been asked by a Mr. Zibinski, a friend of Mrs. to come to court to testify,

"Did Mr. Zibinski offer you anything to come was asked. "I must decline to answer," eplied Mrs. Durone. The question was pressed, and Mrs. Durone replied: "I live in furnished rooms, and Mr. Zibinski told me he would give me a set of furniture if I'd come here to testify."

David Zibinski took the witness stand and denied that he had made the offer of a set of furniture Mrs. Durone was recalled, and repeated her statement that Mr. Zibinski had tried to induce her to testify that her husband was insane, and said if she did he would give her a set of furniture and she would get a month's rent. She said that she was living with her husband, and saw him yesterday morning before he went to business

After some further testimony, Juror No. 6, Franklin Lawrence, said that it was evident that some one had lied, and desired to know if arrests could not be made. Justice Giegerich said that he might decide to send the papers to the District Attorney. Counsel began to sum up at 12.30. Before the trial was resumed after recess, Justice Glegerich called sultation with them. Douglas A. Levien, counsel for Mrs. Cohen, wished Mr. Lawrence withdrawn

one having committed perjury. ment of counsel proceeded. In the course of the remarks made by Mr. Lawson about bumping the heads of the counsel together, and consequently did not take judicial notice of them. Justice Giegerich withdrew the attachment for Durone as it was shown that the wrong man had been served with the subpoena, through a mistake

been served with the subpoema, through a mistake of identity.

In his argument Mr. Steuer made a bitter attack upon Mrs. Cohen's testimony. Mrs. Cohen finally burst into tears, hid her face in her handkerchief and sobbed for fully ten minutes. At this point there was a commotion in the rear of the courtroom, and Mr. Steuer stopped his argument while Mrs. Annie Cohn, who had fainted, was removed, Mrs. Cohn is not related to the Cohens, but has been a listener to the proceedings every day of the trial. Her interest in divorce proceedings may be explained by the fact that an aution which she has brought against her husband, Morris Cohn, for absolute divorce will be called for trial before Justice Smyth to-day in Special Term, Part III, of the Supreme Court.

At 4:30 o'clock Justice Giegerich charged the jury. Twenty minutes later they retired. At 5:50 o'clock they returned and announced that they had found in favor of the plaintiff. Mrs. Cohen was not present when the jury came in, but Cohen was As soon as the verdict was announced the burst into tears.

Justice Giegerich thanked the jury and complimented Mr. Steuer on the way he had conducted the case.

COLONEL COCKERILL'S BODY REMOVED.

The body of Colonel John A. Cockerill was taker to St. Louis yesterday afternoon in a special car over the New-York Central and Hudson River Railroad. The car was attached to the Southwest Limited, which left here at 1 o'clock, and will arrive at its destination at 6:30 p. m. to-day.

The body was accompanied by a funeral party consisting of John M. Walsh and George F. Lyons, representing the Masonic fraternity; John J. Shan non and J. J. Armstrong, representing the Newpassenger agent of the Missouri Pacific Railroad Charles E. Ware, James J. Kerens, Charles J. Yore, Miss Atchison and Dr. and Mrs. Phillips, Mr. and Mrs. Riccords and Dr. and Mrs. Campbell, the latter a sister of Colonel Cockerill.

The body will be received at St. Louis by the St. Louis Lodge of Eliks, and He at the lodgerooms till to-morrow noon, when it will be taken to Dr. Snyder's Unitarian church, where the final ceremonies will be held.

KILLED BY A FALL DOWN AN AIRSHAFT. Rocco Fusco, an Italian laborer, thirty-eight years living on the top floor of the four-story te ment-house No. 417 East One-hundred-and-twelfth in the house at 5 o'clock yesterday morning with his skull crushed and nearly every bone in his body broken. Fusco, who boarded with Louis Lopont had a room opening on the light shaft, and his bed consisted of a mattress lying on top of a drygoods box. The bed was close to the light shaft window box. The bed was close to the light shaft window and on a level with it.

Fusco went home drunk at 11 o'clock Monday night and went to bed. Nothing more was seen of him until his body was found. It is supposed that he rolled out of the window in his sleep.

The body was removed to the East One-hundred-and-fourth-st, station and the Coroner was informed.

NEW EAST SIDE PARK HEARING. The Board of Street Opening and Improvement will

give a public hearing on the question of a small park for the East Side, at the Mayor's office, on Friday, May 22, at 10:30 a. m. The site recommended by the Mayor's Advisory Committee embraces the sex sts., with the block directly east, bounded by suffolk, Division and Norfolk sts., or th Hester, Sunoik, Division and Noriok sts., or the one south, bounded by Division and Jefferson sts., East Broadway and Caral-st. This park is the second one to be taken under the Gilder law, which provides for two or more in the district south of Fourteenth-st, and east of Broadway. The Board of Street Opening and Improvement has already taken the necessary steps to lay out the first park in the block bounded by East Houston, Sheriff, Stanton and Pitt sts.

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ONE SEAT TO FILL YET.

ELEVEN JURORS SECURED IN THE FLEMING CASE-DR. O'SULLIVAN IN COURT.

The jury which is to try Mrs. Fleming, who is accused of the murder of her mother by poisoning, is still incomplete, despite the fact that seven days have already been consumed in the task of getting a jury together. Yesterday only one talesman was accepted by both the defence and the prosecution. He was the eleventh juror to be sworn, leaving therefore one vacancy in the box yet to fill. Dr. William J. O'Sullivan, the medico-legal expert, who is to assist in the prosecution, was in court for the first time yesterday. During the intervening period he has been studying the case with the medical experts who will testify against Mrs. Fleming. He said that the case was involving a great deal of scientific labor. William G. Deane, the court officer who was suspended last Monday for his negligence in bringing Miss Florence Bliss forward to the bar, while he allowed the defendant to remain seated among the public, was reinstated yesterday. His error cost him a week's pay.

The first talesman called after the opening of the teenth-st. He was a member of the Society of Friends, and the pacific principles of his sect sufficed to obtain an immediate immunity from service. Then in quick succession some half-dozen talesmen swore that they were opposed to the in-fliction of the death penalty, and were accordingly

John F. G. Bartells, a paper-hanger and decorator, was found acceptable to the prosecution. Charles W. Brooke, the senior counsel for the de-Charles W. Brooke, the senior codus, the tales-fence, in the course of his examination of the tales-man referred to the litigation by Mrs. Fleming to obtain possession of the \$5,000 held in trust for her fence, in the course of his examination of the talesman referred to the litigation by Mrs. Fleming to obtain possession of the \$5,000 held in trust for her by the City Chamberlain until the death of her mother, under the provisions of the will of her father, Robert Swift Livingston. Mr. Brooke asserted that the Appellate Court, in giving its decision in favor of the defendant had decided that she had absolute right to it. Mr. Mcintyre objected, saying that the decision merely held that the indistant magainst the defendant was at the time only an accusation, and could not of itself operate to debar her from her inheritance. Mr. Brooke rose to continue the discussion, but the Recorder interposed and refused to allow further comment on the point.

It was not until a few minutes before 5 o'clock that the solitary juror, the product of a whole day's sitting, was obtained. He was subjected to a long examination by the prosecution and the defence, and was ultimately found acceptable to both sides. He is Edward H. Friedrich, a harnessmaker, of No. 62 East One-hundred-and-twenty-fifth-st.

A BROADWAY SPECTACLE.

GILDING THE WEATHER VANE OF ST. PAUL'S STEEPLE WHILE THE WIND BLOWS.

Many persons have stopped in lower Broadway this week and have strained their necks to look up at the man who is gilding the weather vane of St. Paul's lofty steeple. He is Charles H. Kent, sometimes called the "King of Steeple Jacks." As he worked away yesterday in the breeze, which made the flags below him flutter and snap, his position seemed to be one of great danger. He clung to the topmost rungs of a ladder which was lashed to the top of the steeple, but the force of the wind made top of the steeple, but the force of the wind made the ladder constantly tremble and sway. When he was gliding the extreme tip of the vane he was obliged to lean so far from the ladder that persons who watched him thought he must surely fall. Once the wind whipped from his hand several thin sheets of gold and carried them away over the housetops. Kent's task was not completed yesterday when the storm drove him down the ladders to shelter.

FIRE IN BAXTER-ST.

Three alarms were sent out at 3 o'clock yesterday afternoon for a fire in the Metropolitan Steam Power Buildings, No. 9 to 13 Baxter-st. The fire was discovered in the engine-room in the rear of the middle building, and started probably from some waste. The buildings are occupied chiefly by wood-working and moulding firms, and are in a crowd of dangerous structures if a fire once got a fierce start.

In less than twenty minutes the blaze was drowned out. The total damage to the various firms is estimated at \$19,000, including the loss on the building.

Among the firms in the buildings are John G. Kiumpp & Sons, wood turners; F. Zimmerman & Co., mouldings; New-York Fancy Work Company; Sharp & Sons, steel engravings, and Kritzler & Maron, woodworkers. dangerous structures if a fire once got a flerce start,

CITY COLLEGE TRUSTEES MEET. At the meeting of the trustees of the College of the

City of New-York, held yesterday afternoon at the Board of Education, a long discussion was held over the report of the majority of the Executive Committee favoring the nomination of John J. McNulty for professor of philosophy in the college. General Ketchum, who was one of the minority

members of the committee, and Mr. Strauss had a hot argument, the former contending that his col-league was misrepresenting him in certain remarks. He went so far as to declare that Mr. Strauss did not He went so far as to declare that Mr. Strauss did not know what he was talking about. The remark angered Mr. Strauss, who exclaimed excitedly: "I will let you know, General, whether I do or not before I am through with you." Further retorts were prevented by one of the trustees cailing for a vote on the motion to recommit the report to the Executive Committee.

The motion was carried by a vote of 14 to 7.

LAVISH AFTER HIS FAILURE

THE CARBON KING'S MINING ENTERPRISE ESTABLISHMENTS AND JEWELS.

mer husband of Minnie Paimer, was examined yes-terday as a third party in supplementary proceedings against Simon Dessau, known as the "Carbon King," at the office of the plaintiff's attorney, Julius Lehmann, No. 237 Broadway. Ehrich Bros, have a judgment for \$226 against Dessau, and Rogers explained to Mr. Lehmann what he knew of the de-

fendant's business affairs.

Mr. Rogers said that he had taken a trip to Mich igan. Wisconsin and California for Dessau in search mining property for the Deseau Mining Comp Herman Levy was president of the company, and its secretary and treasurer was Simon Dessau, who has promised the witness a share in the company and vice-presidency for his services. He rece share, which he valued at \$25. He had been ap pointed vice-president also by Dessau, but learning

that the place was a "dummy job," returned it will Two prospective purchases had been the Mille and

asked him for the loan of \$30,000 to put into the purchase of the Swanzy. Hanna replied over the tea phone, "Don't touch it."

chase of the Swanzy. Hanna replied over the mephone, "Don't touch it."

"How many establishments or homes did Desan maintain in this city?" was asked.
"He had one in the Ariston flats, at Fifty-secolost, and Broadway." said Mr. Rogers, "a fair Thirty-sixth-st., near Soubrette Row, and house, at different times, in Elighty-first-st., near the Bolivard; at No. 2M West Elighty-ininth-st., and at No. 180 West Thirty-fourth-st. Part of the time had three of these establishments running."
"How much do you think the furniture in the different places was worth?" was the next question. "I would say the aggregate value was nearly 1800, surely more than 120,000," replied the winnes. It answer to further questions, Mr. Rogers said: the Obessau'n had a great variety of the jewelly, set as studs, scarfpins, rings and watches. It was hown property, for I had seen him wearing it fully year before his failure. He told me it was his, as He had very fine and expensive clothing, which is procured from many tailors, most of them Parisa. His suits numbered fully fifty at one time, I spous he played the races, for he admitted losing, at diffeent times, hundreds and thousands of dollars." In conclusion the witness said that he had recent instructions from Dessau to bid \$50,000 for the Smit Mine, and raise the bid to \$60,000 fthe had to in die to get it. Rogers said, also, that all his testing related to occurrences subsequent to Dessau's faint in 1894. The hearing was then adjourned.

MADE A BREAK TO ESCAPE.

A SENTENCED PRISONER'S EFFORT TO GET AWAY

PROVES UNSUCCESSFUL Thomas Hutton, allas Thomas Higgins, was settenced yesterday to four years in State's prison by Judge Newburger, in Part III, General Session He had been convicted of an attempt to pick the

pocket of Isaac Birnbaum, on the Bowery. As Hutton was being taken through the corridor toward the bridge leading to the Tombs he sipped his handcuffs and dashed down the stairs leading to Centre-st. There were fourteen prisoners in the handcuffed two and two. A number of men met the procession and caused some confusion. It was said that the men were friends of Hutton, and had

planned to effect his escape.

When Hutton broke away and ran down the stain. the deputies set up a cry of "Stop thief!" The or was heard all over the building, and brought number of court attendants into the hallways When Hutton got on to the main floor and headed for the street door, Court Officer Write jumped upon him and grabbed him by the cat. There was a struggle, in which Hutton fought and to get away, but assistance soon arrived, and in prisoner was secured and taken to the Tomba. In had some bruises on him from the fight.

TRANSATLANTIC TRAVELLERS. The rush to Europe continues with no apparen

ssation. All the big ocean greyhounds that this port to-day, carry full passenger lists in both first and second cabins. As usual, a number of known people are among those who sail.

The American Line steamship, St. Paul, sailing is Southampton at 10 o'clock this morning, will carry among others: Mr. and Mrs. J. S. Auerbach, Colond A. S. Bacon, W. A. Brady, A. Barton-Kent, Colond E. S. Bridger, E. D. Barge, R. S. Crawford, R. is E. S. Bridges, E. D. Bangs, R. S. Crawford, B. L. Cochran, Professor W. R. Duryea, Mr. and Ms. S. Kushe, Dr. T. L. Hazzard, A. P. Burchfell, S. Kushen, Van S. Kurino, Japanese Minister at Washington, Mr. J. Kyle, Captain J. L. Killmer, Mrs. H. O. Nat. Mrs. William Rockefeller, Miss Rockefeller, Co J. H. Sanderson, Captain W. G. Shadsford, and Aboard the White Star liner Teutonic will s

Aboard the White Star liner Teutonic will S. S. Blood, Edward W. Bok, T. Avery Collection of the Colle

Webb.
The Red Star steamer, Friedland, will count and the passengers: Miss Margaret G. Breen, John D. Brown, Mrs. S. B. Clarke, Mr. and Mrs. Do Va. Winter, Mrs. Sarah G. Davis, Mrs. B. T. Winter, Mrs. Sarah G. Davis, Mrs. B. T. McCaba.